

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**RICHARD STEWART,**  
*Plaintiff*

v.

**WORTHING 7, LLC d/b/a W7  
CONSTRUCTION SERVICES and  
HOWARD WORTHING,**  
*Defendants*

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**CASE NO. 1:21-CV-00262-SH**

**ORDER**

On January 7, 2022, Plaintiff Richard Stewart filed a Suggestion of Bankruptcy for Defendant, Howard Worthing (Dkt. 17), notifying the Court that on November 16, 2021, Defendant Howard Worthing filed a Voluntary Chapter 7 Petition in the United States Bankruptcy Court for the Western District of Texas, Case No. 21-10877. Pursuant to the docket in Worthing's bankruptcy proceeding, he was granted a discharge under 11 U.S.C. § 727 on September 12, 2022. Order of Discharge, Dkt. 55, 21-10877-tmd.<sup>1</sup> Generally, a discharge acts as an injunction against all pre-bankruptcy claims. 11 U.S.C. § 524.

On October 24, 2022, Plaintiff filed an Amended/Corrected Suggestion of Bankruptcy for Defendant, Worthing 7, LLC, D/B/A W7 Construction Services (Dkt. 20), notifying the court that on November 17, 2021, Defendant Worthing 7, LLC d/b/a W7 Construction Services filed a Voluntary Chapter 7 Petition in the United States Bankruptcy Court for the Western District of Texas, Case No. 21-10883; *see also* Dkt. 18-1 (bankruptcy petition). Pursuant to the docket in the Worthing 7 bankruptcy proceeding, that case was terminated on April 14, 2022.

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<sup>1</sup> The Court takes judicial notice of the bankruptcy court's docket.

In light of the proceedings in the Bankruptcy Court, Plaintiff must file an advisory with this Court addressing the status of his claims against Defendants **on or before November 10, 2022**.

All remaining settings in the Court's Scheduling Order (Dkt. 15) are hereby **VACATED**.

**SIGNED** on October 25, 2022.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE